

The Governing Board recognizes:

1. That many Private and Non-Profit agencies in Nebraska have a history of providing compassionate, skilled and effective services to children and families when fulfilling contracts with DHHS, and the lives of many Nebraskans have been positively impacted by both in-home and out-of-home services such as Intensive Family Preservation, Family Support, Adoption and Foster care, Addictions Treatment, Family and Individual Therapy and mediated Pre-hearing and Family Group conferences, provided by Private and Non-Profit agencies in partnership with DHHS.

2. That despite the truth of Number 1 above, there has been substantial evidence of dramatic failures by DHHS to monitor, measure or contain the costs and quality of services provided by some Private and Non-Profit Agencies. This failure, by DHHS to adequately manage contracts, and by agencies to provide competent compassionate services without exploitation of State funds, has been powerfully documented, (See Transportation Contracts Performance Audit, Believe in Me Ranch article etc) and has not only failed to help Nebraska's most vulnerable children and families, but has actively and obviously hurt them, and damaged the reputation of the State. (See NY Times article editorial 4-19-09)

3. That DHHS delegation of increased authority to Private and Non-Profit Agencies for In-Home Services and the proposed delegation of increased authority to Private and Non-Profit Agencies for Out-of-Home Services, will reduce and diffuse DHHS accountability without increasing quality or decreasing costs, unless there is a significant improvement in the ability of DHHS to manage the contracts promptly and comprehensively. This will require a far greater level of oversight by DHHS than has been seen up until now, and very clearly delineated lines of accountability between DHHS and the contracted agencies, both on the individual case level, and in management.

4. That the Foster Care Review Board is charged with the responsibility of reviewing the cases of all children in out-of-home care every six months and making recommendations to Judges, Guardians Ad Litem, DHHS and others as to what can be done to improve the lives of children in individual cases, and presenting recommendations for systemic change to the Governor and DHHS, Senators, Judges and the public in an Annual Report. The Governing Board is not an accrediting agency for contracted providers, and agrees that concerns about providers identified through reviews, should be referred to DHHS and the accrediting agencies.

5. That the current Governing Board is working to increase the number of reviews that are being completed, but cutbacks in funding made in 2002 have not been fully restored, and the Performance Audit released in 2008 identified considerable Staff concerns about their current workload. The increase in the delegation of DHHS responsibilities to Private and Non-Profit Agencies may make the ability of the Board's staff to access information about children more challenging, by increasing the number of sources for that data. While making every effort to meet that challenge, the Board is concerned that at a time when there will need to be increased oversight of the children, there may in fact be less.

6. The Governing Board is concerned about the quality of services, the availability of services, the accountability of the Private and Non-Profit Agencies, the accountability of DHHS, and the ability of the Board to access comprehensive and timely information in order to continue its mission for children in out-of-home care. The board therefore authorizes the Management Team to work closely with DHHS and the Private and Non-Profit contractors to facilitate the tracking of children and the timely exchange of information, so that the work of the FCRB can continue and improve.

7. The Governing Board notes that it is more important than ever that the cases of children be reviewed every six months, and continues to make this a priority.